

**WILLIAMSBURG CITY COUNCIL
WORK SESSION
SEPTEMBER 8, 2008**

The Williamsburg City Council held a work session on Monday, September 8, 2008, at 4:00 p.m., in the City Council Chambers of the Stryker Building.

ATTENDANCE

Present were Ms. Zeidler and Ms. Knudson, Messrs. Haulman, Freiling, and Braxton. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist.

Staff Attending: Assistant City Manager Miller, Assistant City Attorney Workman, Economic Development Director DeWitt, Communications Specialist Kate Hoving, and Department Head Nester.

CALL TO ORDER

Mayor Zeidler called the meeting to order.

Mayor Zeidler recognized and welcomed Kate Hoving, the city's new Communications Specialist.

Public Comment: Items for City Council Meeting of September 11, 2008

Mayor Zeidler asked for public comment regarding the regular meeting or on any subject.

David Kranbuehl, 201 Harrison Avenue, addressed Council about PCR #08-019 (Request of Prometheus Investments, Inc., for a special use permit to construct two restaurants and 24 condominiums, Richmond Road). Mr. Kranbuehl referred to a letter that was sent by e-mail to Council, signed by eleven residents on streets from Braxton Court to Matoaka Court about an appropriate mix of housing in the proposed development.

The residents have been working and meeting, and have met with Mr. Florakis. The stress is that they want an appropriate mix of housing and the city has a goal of increasing owner occupancy of 50%. There is no real action plan. They would like to see incentives that ensure that the 24 units would have a reasonable mix of owner occupancy and rentals. They have also discussed ways to make the project attractive. They asked that action not be taken on the SUP and postpone this item until additional information can be gathered. They want more time for dialog. The residents are willing to pay (and perhaps the city could help) for professional advice for what should be proposed with a special use permit.

John Tarley, Attorney-at-Law, representing Prometheus Investments, Inc., confirmed that the applicant wants to move forward with this special use permit request and receive Council's decision. A lot of time and money has been spent on this proposal. It has been recommended by the planning staff, and has received unanimous approval from the Planning Commission and Architectural Review Board. He clarified that Prometheus is not requesting a postponement.

Gary Shelly, 205 Indian Springs Road, remarked about a memo written by the City Attorney last spring. He related an experience of his former tenant, Mr. Phil Cunningham,

about a city representative entering his home uninvited. This stems from an investigation of a complaint from a neighbor that the basement was being converted to an apartment. Mr. Shelly was simply making improvements. He complained to the city. A reply was received with no apology, but reminding him of the zoning regulations and prohibiting him from building an apartment. He did not publicize this experience, but now wished he had. He asked Council to ask the City Attorney what the evidence was in this case, what gave the city the right to enter Mr. Cunningham's home, and which laws the city broke when they entered the home.

Mr. Gilbert Granger, 302 Harrison Avenue, appreciated the plans for the block party. People could discuss the Prometheus proposal and come to accord at the evening block party at Nelson and Randolph. People want Mr. Florakis to put restrictions on his property and talk about restrictions on properties, but have they done that? Or do they just want other people to do it? He has deep affection for William and Mary. He advised Council that he is considering giving the College his residential property at Harrison and Lafayette for a dormitory.

No one else wished to speak. The session was closed.

BACKGROUND PRESENTATIONS/DISCUSSION

Dominion Power Electrical Reliability Project, Ken Barker, Dominion Power

Mr. Barker provided Council members with a copy of his presentation.

Mr. Barker said that Dominion's goal is to provide reliability to all its customers that Dominion can be proud of. Working with Mr. Tuttle, Dominion decided on this project to rehab the electric service in the areas of Indian Springs Road and Griffin Avenue. This is a critical area and two of the worst for reliability. Work includes removing feed and overhead lines and placing wires underground at the front of the residential lots. Easements will be needed from the 24 residential customers. Dominion met with the residents on September 3 and was pleased with the good reaction.

Mr. Barker thanked Council for its partnership. Dominion looked forward to solving this reliability problem. He hopes that construction would commence in October and conclude no later than the end of the year.

Mayor Zeidler thanked Mr. Barker for his presentation about this exciting project. The city has worked to place wires underground when able and during redevelopment projects.

Council members were appreciative of this project and briefly discussed other areas in the city that may need improvement with reliability, such as Walnut Hills and Highland Park. Mr. Barker said that Dominion is open to considering other areas for improvement providing they meet the threshold. The improvements are done at no cost to residents.

Mr. Barker said that telephone and cable issues still need to be resolved in the project area and most likely will go underground.

Mayor Zeidler recognized Max Bartholomew, Alan Bradshaw, and Melanie Rapp in the audience.

W-JCC Fourth Middle School and Ninth Elementary School, Authorization to Proceed with School Construction, Dr. Bob Becker, W-JCC Schools

Mr. Tuttle explained that according to the current school contract, approval of these capitol projects is required by the governing bodies. Mayor Zeidler recognized Ms. Elise Emanuel, Mr. Jim Nichol, and Dr. Gary Matthews.

Ms. Emanuel was excited to announce that at a luncheon today with Governor Tim Kaine, Williamsburg-James City County Schools received the "Innovative Use of Technology in K-12 Education" Award.

Mr. Becker said that Mr. Paul Klee of Grimm & Parker and Mr. Edward Kopp of McDonough Bolyard Peck, Inc., would present information about the proposed schools and latest cost estimates.

Mr. Klee said that the proposed schools will be located on 85 acres on Jolly Pond Road adjacent to Freedom Park. Mr. Klee showed site drawings and area photographs. The schools will be co-located with shared parking. The school board requested a prototype design for the schools that could be modified for specific programs. The character of the schools will match the character of Williamsburg. Architectural renderings of elevations were reviewed. Both the two and three story schools will be designed using the "Main Street" concept separating noisy and quiet areas. Mr. Klee said that the multi-story schools require less land, are more sustainable, and cost less.

Mr. Kopp reviewed the construction cost estimates and budget update. The current bidding climate was good at this time.

Discussion items:

- Sustainability and "green" schools.
- Use of Geothermal energy increases construction costs up front, but energy costs will be substantially less. Costs will be recouped over the life of the building.
- The "low slope" design of the roof. The roof will be constructed of warranted materials and roofing will be monitored as it is being installed.
- The telephone system.
- Basic site work is in progress; building pads are in place.
- The construction contracts have not been awarded at this time.
- The value in moving ahead now to save on construction costs.

Council members congratulated the schools on its award. Mayor Zeidler thanked everyone for their presentations. This matter will be on the September 11 agenda for Council action.

Proposed Amendments to City Charter, Joseph Phillips, City Attorney

Reference for this item was Mr. Phillips report dated September 4, 2008, and a comparite copy of the draft charter. Mr. Phillips said the purpose of this amendment is to reorganize the 1932 Charter that has been changed in bits and pieces, and to reflect current procedures. He reviewed the substantive changes to the charter as outlined in his report.

Copies of the draft will be available for public review. Once the ordinance regarding the charter amendment is adopted by Council, it will be presented to our local representatives for submission to the 2009 General Assembly.

Mr. Phillips said that at the September 11 meeting, he will recommend that Council authorize the Clerk of Council to advertise a Public Hearing on the charter amendments for the October Council meeting.

Mayor Zeidler thanked Mr. Phillips for his work. She noted that the draft language in Section 22.6 regarding the term of Council's appointee to the Redevelopment and Housing Authority does not reflect Council's current practice. Mr. Phillips concurred and will change the language to reflect that Council's appointee to the Housing Authority shall expire with the expiration of the term on Council.

Mr. Phillips said it is not out of the ordinary for cities to update their charter. At Mr. Freiling's request, Mr. Phillips explained the process for approving the charter and moving the charter amendment through the General Assembly. Our local representatives will be asked to present the charter to the GA. It will be sent to committee for review and recommendation to the GA. Once passed as written or with amendment; it would go to the Governor. The process takes several months, and if approved, would be effective July 1, 2009.

CITY COUNCIL COMMUNICATIONS

Neighborhoods Council: Mayor Zeidler reported that the meeting was postponed until September 13 because of the weather.

City and William and Mary Student Assembly: Mayor Zeidler reported that members of Council and staff held the first meeting with student representatives to discuss issues of mutual interest. Mr. Haulman added that it was a good meeting and they hoped to meet every three weeks.

Schedule of Meetings: September 2008

Council members received the monthly meeting calendar.

September 11 Agenda: Mr. Tuttle provided Council with a copy of his report and the proposed Resolution #08-17 concerning the City Environmental Sustainability Policy.

September 17 Public Work Shop, 2009/2010 Goals, Initiatives, and Outcomes: Ms. Miller said the workshop is scheduled for 7:00 p.m. to 8:30 p.m. at the Community Building. Goals stations will be facilitated by staff members. Flip charts, comment cards, and sticky dot voting will identify priority areas. There will be opportunity to comment on the city's website. Once all of the information is gathered, the new Goals, Initiatives, and Outcomes will be drafted.

OPEN FORUM

No one wished to speak. The session was closed.

"Welcome Students" Block Parties: Ms. Miller reported that a block party will be held this evening for citizens and students to get to know one another.

The meeting adjourned at 5:10 p.m.

Approved: October 9, 2008

Jeanne Zeidler, Mayor

Shelia Y. Crist, MMC
Clerk of Council